

LABEL, IN PART: "Chocolate Covered Leda [or "Peanut"] Bar," or "Surprise Colonel Chocolate Covered."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested, moldy, and fermented candy.

DISPOSITION: October 4, 1945. The consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

10097. Adulteration of candy. U. S. v. 365 Cartons of Candy. Default decree of destruction. (F. D. C. No. 17415. Sample No. 20295-H.)

LABEL FILED: On or about September 25, 1945, Western District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of June 8 and 29, 1945, by the Comet Candy Co., from Brooklyn, N. Y.

PRODUCT: 365 cartons, each containing 24 bars, of candy at Kansas City, Mo.

LABEL, IN PART: "Comet Pick Up Net Wt. 1¼ Oz. 5¢."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae.

DISPOSITION: October 17, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed.

10098. Adulteration of candy. U. S. v. 35 Cartons of Candy (and 7 other seizure actions against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 17177 to 17179, incl., 17182 to 17186, incl. Sample Nos. 18780-H to 18782-H, incl., 19405-H, 19406-H, 19408-H, 19409-H, 19411-H, 19412-H, 21653-H, 22716-H to 22718-H, incl.)

LABELS FILED: Between August 22 and 27, 1945, District of Minnesota and Eastern and Western Districts of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of July 21 and August 2, 1945, by the Hollywood Candy Co., from Centralia, Ill.

PRODUCT: 340 cartons each containing 24 candy bars at Minneapolis, Minn.; 204 cartons each containing 24 candy bars at St. Louis, Mo.; and 88 boxes each containing 150 candy bars at Kansas City, Mo.

LABEL, IN PART: "Hollywood's Butter-Nut Milk Chocolate," "Hollywood's Magic 5¢ Candy Bar," "Pay Day Candy Bar," or "Hollywood Milk Chocolate."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, larvae fragments, insect fragments, rodent hairs, and rodent hair fragments.

DISPOSITION: Between September 19 and October 17, 1945. No claimant having appeared, judgments were entered ordering that the St. Louis lot be condemned and destroyed; that the Kansas City lot be destroyed; and that the Minneapolis lots be destroyed unless properly reprocessed for animal feed, under the supervision of the Food and Drug Administration.

10099. Adulteration of candy. U. S. v. 63 Rolls of Candy. Default decree of condemnation and destruction. (F. D. C. No. 17297. Sample No. 2918-H.)

LABEL FILED: August 22, 1945, District of Maryland.

ALLEGED SHIPMENT: On or about April 26, 1945, by Joe Franklin Myers Industries, from Dallas, Tex.

PRODUCT: 63 9-ounce rolls of pecan candy at Baltimore, Md.

LABEL, IN PART: "Log Cabin Roll."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect excreta, and webbing.

DISPOSITION: September 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10100. Adulteration of candy. U. S. v. 536 Cases of Peanut Brittle. Consent decree of condemnation and destruction. (F. D. C. No. 17428. Sample No. 36381-H.)

LABEL FILED: September 12, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about May 29, 1945, by A. G. E. Abendroth, from New York, N. Y.

PRODUCT: 512 cases, each containing 8 40-pound boxes, and 24 cases, each containing 10 20-pound boxes, of peanut brittle at Portland, Oreg.

LABEL, IN PART: "Manee Product of Cuba * * * Peanut Brittle."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and pupae.

DISPOSITION: On October 17, 1945, the sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

10101. Misbranding of Spanish nut toffee. U. S. v. 12 Cases of Spanish Nut Toffee. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 17334. Sample No. 32217-H.)

LABEL FILED: August 31, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about July 13, 1945, by the California Fruit Chimes Co., from San Gabriel, Calif.

PRODUCT: 12 cases, each containing 60 5-ounce boxes, of Spanish nut toffee at Phoenix, Ariz. Examination showed that the boxes contained irregular pieces of peanut-brittle type candy, and that there was an excessive amount of unfilled space in the boxes.

NATURE OF CHARGE: Misbranding, Section 403 (d), the container was so made, formed, and filled as to be misleading, since the box was too large for the amount of candy contained therein.

DISPOSITION: November 8, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

CHOCOLATE

10102. Adulteration of chocolate. U. S. v. 9 Bales of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17459. Sample No. 13761-H.)

LABEL FILED: September 19, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 24, 1945, by the Klein Chocolate Co., Inc., from Elizabethtown, Pa.

PRODUCT: 9 bales, each containing 18 10-pound slabs, of chocolate coating at Cleveland, Ohio.

LABEL, IN PART: "Kleins Liquor Chocolate Coating."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect fragments.

DISPOSITION: September 24, 1945. The Mackenzie Candy Co., Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be cleaned in order to eliminate all filth, under the supervision of the Food and Drug Administration. It was further provided that if it was not possible to clean the product properly that it be disposed of for purposes other than human consumption or destroyed.

10103. Adulteration of chocolate. U. S. v. 6 Bags of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17752. Sample No. 14412-H.)

LABEL FILED: October 9, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about July 28, 1944, by the Brewster Ideal Chocolate Co., from Newark, N. J.

PRODUCT: 6 200-pound bags of chocolate at Mansfield, Ohio.

LABEL, IN PART: "Regal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insect fragments, and larvae.